### IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA CHARLESTON DIVISION

IN RE: ETHICON, INC. PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION

Master File No. 2:12-MD-02327 MDL No. 2327

THIS DOCUMENT RELATES TO ETHICON WAVE 7 CASES

JOSEPH R. GOODWIN U.S. DISTRICT JUDGE

# NOTICE OF ADOPTION OF PRIOR RESPONSES IN OPPOSITION TO PLAINTIFFS' MOTION TO EXCLUDE THE TESTIMONY OF KIMBERLY KENTON, M.D.

Defendants Ethicon, Inc. and Johnson & Johnson (collectively, "Ethicon") submit this notice in response to Plaintiffs' Notice of Adoption of Prior *Daubert* Motion of Kimberly Kenton, M.D. for Wave 7, Doc. 5329. In their Notice of Adoption, Plaintiffs adopt and incorporate their *Daubert* motion filed against Kimberly Kenton for Ethicon Wave 1. *See* Doc. 2087 (motion) & Doc. 2088 (memorandum in support). Ethicon hereby adopts and incorporates by reference its Responses to Plaintiffs' *Daubert* motions filed against Kimberly Kenton, M.D., in Wave 1 (Doc. 2132) and Wave 3 (Doc. 2939). This response applies to the Wave 7 case identified in Exhibit A to Plaintiffs' Notice of Adoption.

<sup>&</sup>lt;sup>1</sup> On August 31, 2016, this Court issued a Memorandum Opinion and Order on Plaintiffs' Wave 1 Motion to Exclude the Expert Testimony of Kimberly Kenton, M.D. [ECF No. 2087], Dkt. 2705 (Opinion and Order), which was adopted by the Court again on July 20, 2017, in Wave 3, in its Order Adopting Memorandum Opinion and Order, Dkt. 4167.

## Respectfully Submitted,

#### /s/ William M. Gage

William M. Gage (MS Bar #8691) Butler Snow LLP 1020 Highland Colony Parkway Suite 1400 (39157) P.O. Box 6010 Ridgeland, MS 39158-6010 (601) 985-4561 william.gage@butlersnow.com

### /s/ Susan M. Robinson\_

Susan M. Robinson (W. Va. Bar #5169) Thomas Combs & Spann PLLC 300 Summers Street Suite 1380 (25301) P.O. Box 3824 Charleston, WV 24338 (304) 414-1800 srobinson@tcspllc.com

Counsel for Defendants Ethicon, Inc. and Johnson & Johnson

### IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA CHARLESTON DIVISION

IN RE: ETHICON, INC. PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION

Master File No. 2:12-MD-02327 MDL No. 2327

THIS DOCUMENT RELATES TO ETHICON WAVE 7 CASES

JOSEPH R. GOODWIN U.S. DISTRICT JUDGE

#### CERTIFICATE OF SERVICE

I, William M. Gage, certify that on this date, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

/s/ William M. Gage

William M. Gage (MS Bar #8691) Butler Snow LLP 1020 Highland Colony Parkway Suite 1400 (39157) P.O. Box 6010 Ridgeland, MS 39158-6010 (601) 985-4561 william.gage@butlersnow.com

41214016.v1